

Remarks

The July 9, 2004 Official Action has been carefully reviewed. In view of the amendments submitted herewith and the following remarks, favorable reconsideration and allowance of this application are respectfully requested.

At the outset, it is noted that a shortened statutory response period of three (3) months was set in the July 9, 2004 Official Action. Therefore, the initial due date for response is October 9, 2004.

Applicants note that the Examiner has indicated that claims 1-17 and 19 are in condition for allowance.

The Examiner has, however, rejected claims 18 and 32 under 35 U.S.C. §112, second paragraph for alleged indefiniteness. Specifically, it is the Examiner's position that the metes and bounds of the terms "modifying" and "normal biological activity" in claims 18 and 32, respectively, are unclear. Additionally, the Examiner contends that claim 18 fails to further limit claim 11.

The Examiner has also rejected claims 18 and 31-37 for allegedly failing to satisfy the enablement requirement under 35 U.S.C. §112, first paragraph. The Examiner contends that the specification fails to provide enablement for methods of screening for modified binding members and mimetics which inhibit the binding of non-actin substrates to the CCT complex.

At page 3 of the Official Action, the Examiner has also rejected claims 18 and 31-37 for allegedly failing to satisfy the written description requirement under 35 U.S.C. §112, first paragraph. It is the Examiner's position that the specification fails to provide an adequate written description of modified or derived binding members capable of inhibiting the binding of a CCT substrate to the CCT complex.

The foregoing rejections constitute all of the grounds set forth in the July 9, 2004 Official Action for refusing the present application.

In accordance with this amendment, claims 18 and 31-37 have been cancelled. All of the rejections outstanding with respect to these claims are, therefore, rendered moot. The cancellation of claims 18 and 31-37 should not be construed as indicative of Applicants' concurrence or acquiescence in the various rejections of claims 18 and 31-37 as set forth in the July 9, 2004 Official Action, or otherwise as an abandonment of Applicants' efforts to secure patent protection on the subject matter of claims 18 and 31-37. To the contrary, Applicants vigorously dispute those grounds of rejection. Such arguments as Applicants have to advance in rebuttal, however, are being reserved for a continuing application, should one be filed.


Applicants have also cancelled previously withdrawn claims 20-30 and 38-43 for allegedly being drawn to patentably distinct inventions.

CONCLUSION

In view of the amendments presented herewith and the foregoing remarks, it is respectfully urged that the rejections set forth in the July 9, 2004 Official Action be withdrawn and that this application be passed to issue.

In the event the Examiner is not persuaded as to the allowability of any claim, and it appears that any outstanding issues may be resolved through a telephone interview, the Examiner is requested to telephone the undersigned attorney at the phone number give below.

Respectfully submitted,
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